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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,720	03/09/2004	Dale D. Timm	200316152-1	1739

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EXAMINER

GOLDBERG, BRIAN J

ART UNIT	PAPER NUMBER
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2861

DATE MAILED: 05/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/796,720	Applicant(s) TIMM ET AL.	
	Examiner Brian Goldberg	Art Unit 2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 11, 14, 15 and 17-23 is/are rejected.
- 7) ☒ Claim(s) 7-10, 12, 13 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 24-47 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 3/23/06.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-6, 11, 14, 15, and 17-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Horvath et al. (US 6705705).
2. Regarding claim 1, Horvath et al. disclose "a substratum (34, 78); a cover (32) attached to the substratum and having an aperture provided therein (323, 324); a printhead (40) attached to the substratum and provided at least partially within the aperture (see Figs 5 and 6); at least one connector (68) extending from the printhead into the aperture (see Fig 5 and 6); an adhesive material covering at least a portion of the at least one connector (189, 289, 389); and at least one barrier that prevents the adhesive material from flowing to locations away from the at least one connector (solid portion of 32 to the left of item 180/280/380 of Figs 9A/10A/11A)."
3. Regarding claim 2, Horvath et al. disclose "the substratum has a plurality of electrical contacts provided thereon (71)."

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4. Regarding claim 3, Horvath et al. disclose "wherein the plurality of electrical contacts provided on the substratum are provided within the aperture (see location of 71 in Figs 5 and 6)."

5. Regarding claim 4, Horvath et al. disclose "the printhead includes a nozzle surface (471 or top of 47) and a plurality of contacts (41) provided on the nozzle surface and wherein the at least one connector comprises a plurality of wires (183, 283, 383) that extend between the plurality of contacts provided on the nozzle surface and the plurality of contacts provided on the substratum (see Figs 9B, 10B, 11B)."

6. Regarding claim 5, Horvath et al. disclose "the printhead has a perimeter and is provided in the aperture such that a gap is provided between the printhead and the cover about the perimeter of the printhead (see gap between 40 and barrier portion of 32 in Figs 9A, 10A, 11A) and wherein the printhead has a plurality of sides and the at least one barrier prevents the adhesive material from flowing along the length of at least one of the sides of the printhead (solid portion of 32 prevents flow of adhesive, Figs 9-11)."

7. Regarding claim 6, Horvath et al. disclose "the cover includes at least one cutout (area above, left, and right of 324) extending from the aperture and at least a portion of the at least one barrier is provided in the at least one cutout (solid portion to left and right of 324 is barrier within cutout of Fig 6)."

8. Regarding claim 11, Horvath et al. disclose "the adhesive material covering at least a portion of the at least one connector comprises an epoxy (189, 289, 389)."

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9. Regarding claim 14, Horvath et al. disclose "the cover has a top surface and the at least one barrier protrudes from the top surface for preventing the flow of adhesive over the cover beyond the at least one barrier (see Fig 5 where solid portion protrudes to prevent flow)."

10. Regarding claim 15, Horvath et al. disclose "the aperture provided in the cover has a side adjacent an end of the printhead and the at least one barrier acts to prevent the flow of the adhesive material over the cover beyond the at least one barrier (see Fig 5 where solid portion of 32 barrier prevents flow along side of 40)."

11. Regarding claim 17, Horvath et al. disclose "a substratum (34, 78) having a plurality of printheads (40) attached thereto; a cover (32) attached to the substratum and having a plurality of apertures (323, 324) formed therein, each of the apertures configured to receive at least one of the plurality of printheads therein (see Fig 6); at least one connector (68) extending from each of the plurality of printheads to contacts (71) provided on the substratum; an adhesive material covering at least a portion of the at least one connector and filling at least a portion of each of the plurality of apertures (189, 289, 389); and means for preventing the adhesive material from flowing to locations away from areas near the at least one connector (solid portion of 32 to the left of item 180/280/380 of Figs 9A/10A/11A)."

12. Regarding claim 18, Horvath et al. disclose "the substratum has a plurality of electrical contacts (71) provided thereon, wherein each of the plurality of apertures has at least one electrical contact provided within the aperture (see Fig 6), wherein each of the printheads includes a nozzle surface (471 or top of 47) and a plurality of contacts

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(41) provided on the nozzle surface, and wherein the at least one connector comprises a plurality of wires (183, 283, 383) and each of the plurality of wires extend between at least one of the plurality of contacts provided on the nozzle surface and at least one of the plurality of contacts provided on the substratum (see Figs 9B, 10B, 11B)."

13. Regarding claim 19, Horvath et al. disclose "the cover is attached to the substratum such that a gap exists between each of the plurality of printheads and the cover (see gap between 40 and portion of 32 in Fig 9A, 10A, 11A)."

14. Regarding claim 20, Horvath et al. disclose "each of the printheads has a plurality of sides and the means for preventing the adhesive material from flowing to locations away from the at least one connector includes means for preventing the adhesive material from flowing along at least one of the sides of the printheads (see Fig 5, solid portion of 32 prevents flow of adhesive, Figs 9-11)."

15. Regarding claim 21, Horvath et al. disclose "the cover includes a plurality of cutouts extending from each of the apertures (area above, left, and right of 324)."

16. Regarding claim 22, Horvath et al. disclose "the adhesive material covering at least a portion of the at least one connector comprises an epoxy (189, 289, 389)."

17. Regarding claim 23, Horvath et al. disclose "the cover has a top surface and the means for preventing the adhesive material from flowing prevents the flow of adhesive over the cover beyond the means for preventing the adhesive material from flowing (see Fig 5 where solid portion of 32 barrier prevents flow)."

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

18. Claims 7-10, 12, 13, and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goldberg whose telephone number is 571-272-2728. The examiner can normally be reached on Monday through Friday, 9AM-5PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJG

May 9, 2006


Thinh Nguyen
Primary Examiner
Technology Center 2800